

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue Department – Allegations of Corruption against Sri J. Dharma Rao, Tahsildar, Elamanchili – Trapped on 14.08.2007- Departmental proceeding initiated under rule 24 read with rule 20 of the APCS (CC&A) Rules – Disciplinary case finalized – Imposed punishment of 5% cut in pension for a period of one year under rule 9 of A.P. Revised Pension Rules, 1980 - orders - Issued.

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REVENUE (VIGILANCE-III.2) DEPARTMENT

G.O.RT.No. 742

Dated: 18-08-2014

Read the following:-

1. From the D.G., A.C.B., Letter Rc.No.160/RCT-WVP/2007, Dt. 11.1.2008.
2. From Sri J. Dharma Rao, Tahsildar, Elamanchili (u/s), representation, dt:Nil (rec. On 22.2.2008).
3. G.O.Rt.No.630, Revenue (Vig. II) Department, Dt:4.3.2008.
4. CCLA, Procs. No. VS-I(3)/1808/2007, Dt:1.4.2009.
5. Charge Memo No. VS-I(3)/1808/2007-1, Dt: 1.4.2009 issued by the CCLA, AP, Hyd.
6. CCLA, Procs. No. VS-I(3)/1808/2007-1, Dated 17.8.2009.
7. From the Joint Collector, Visakhapatnam & Inquiring Authority, Letter Rc.No.3093/2007/A2, Dt:30.9.2010.
8. From the CCLA, Letter No.VS.I(3)/1808/2007, Dated: 2.2.2011.
9. Government Memo No 6772/Vig.II.1/2011 dated 29.11.2013.
10. From Sri J. Dharma Rao, Tahsildar (retired), representation dt:12.2.2014.
11. Govt. Lr. No 6772/Vig.II(1)/2011 dated 28.04.2014.
12. From the Secretary APPSC., Lr. No 832/RT/1/2014, dated 11/7/2014.

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It has been brought to the notice of the Government by Director General Anti-Corruption Bureau that Sri J. Dharmarao, Tahsildar, Elamanchili and Sri P. Pola Raju, Mandal Revenue Inspector, Elamanchili, Visakhapatnam District were trapped on 14-08-2007 when they demanded and accepted a bribe amount of Rs.2,000/ from the complainant Sri B. Vijaya Mohan, Managing Director, Vandana Engineering Company Limited, for doing an official favour of issuing a certificate in respect of the extent of land available in Sy.No.51/01 of Kokirapalli village, Yelamanchili Mandal, Visakhapatnam District. And whereas , in the reference 1st read above, the Director General, Anti-Corruption Bureau has furnished final report along with his recommendations on the above allegation of corruption and also on violation of conduct rules against both the Accused Officers.

2. In the reference 2nd read above, Sri J. Dharma Rao, Tahsildar has submitted his representation Government and after examination of the matter, have decided to conduct departmental enquiry on the

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allegation of corruption as well as on violation of conduct rules instead of prosecution. Accordingly, In the reference 4th read above, the Chief Commissioner of Land Administration has instituted common disciplinary proceedings against Sri J. Dharma Rao, Tahsildar (AO-1) and Sri P. Pola Raju, Mandal Revenue Inspector (AO-2) (against whom similar decision taken by the Government) duly framing charges against both the AOs vide reference 5th read above. Both the AOs have submitted their written statement of defense. As they are not convincing the Chief Commissioner of Land Administration has appointed the Joint Collector, Visakhapnam as the Inquiring Authority to conduct enquiry into the charges framed against the Tahsildar and the Mandal Revenue Inspector the matter, vide reference 6th read above.

3. Accordingly, the Inquiring Authority conducted inquiry and furnished report, dt:30.9.2010 vide reference 7th read above, stating that , in respect of Sri J. Dharma Rao, Tahsildar (CO-1) Charge-I is held proved partly; and Charge-II is held proved. In respect of Sri P. Pola Raju, Mandal Revenue Inspector (CO-2, in service), Charge-I as not proved and Charge-II as held proved. The Chief Commissioner Land Administration has communicated copy of the inquiry report to both the Charged Officers and obtained their representations.

4. In the reference 8th read above, the Chief Commissioner of Land Administration has referred the record of inquiry to Government for taking further action in the matter under A.P. Revised Pension Rules, 1980, stating that Sri J. Dharma Rao, Tahsildar, was retired from service on attaining the age of superannuation on 31.7.2011.

5. Government have examined the findings of the inquiring authority with reference to representations of the Accused Officers and observed that in the case of both the Accused Officers, it can be construed that the charge of demand and acceptance of bribe has been held "not proved". Government have also observed that the Investigating Authority has however held the charge of non-submission of Annual Property Returns against both the Accused Officers as proved.

6. After examination of the matter, Government have provisionally decided to impose the punishment of 5% cut in pension for a period of (1) year against Sri J. Dharma Rao, Tahsildar (Retd.) in respect of non-submission of APRs under rule 9 of AP. Revised Pension Rules, 1980, and accordingly issued Show Cause Notice to him vide reference 9th read above. Sri J. Dharma Rao, Tahsildar (Retd.) has submitted his explanation vide reference 10th read above. In respect of AO2 Sri P. Pola Raju, Mandal Revenue Inspector Government have issued instructions to the Chief Commissioner of Land Administration to impose a punishment of one increment cut without cumulative effect against him.

7. Sri J. Dharma Rao, retired Tahsildar has submitted his representation stating that he had submitted his Annual Property Returns when he acquired movable /immovable properties and enclosed certain copies of acknowledgments (for the years 1988, 1990, 2002) / postal stamp (of the year 2001) and copies of

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annual property returns pertaining to (3) years 2004, 2006 & 2007 etc., He has stated that the acknowledgments are old ones and not possible to create the stamps / acknowledgments of other District. He has requested to consider his representation and to drop proposed punishment.

8. Government after careful examination of the matter have decided to confirm the provisional decision to impose i.e a penalty of 5% cut in pension for a period of (1) year. Accordingly, Government hereby order to impose penalty of 5% cut in pension for a period of (1) year against Sri J. Dharma Rao, Tahsildar (Retd.) under Rule 9 of Andhra Pradesh Revised pension Rules, 1980 as the individual has not put forth any new grounds for consideration. The APPSC has also agreed the above punishment (Copy enclosed).

9. The Chief Commissioner of Land Administration, AP, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri. J.Dharma Rao, Tahsildar (Retd), Visakhapatnam District
(through the CCLA, Hyderabad)

The Chief Commissioner of Land Administration, Hyderabad
(with a request to serve the copy to the charged officer
and submit the served copy to Government immediately)

Copy to

The Collector, Visakhapatnam district.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner, A.P. Vigilance Commission,
Hyderabad.

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//FORWARDED:: BY ORDER//

SECTION OFFICER